

REMARKS

1. Claims 1-20 are pending in the present application. Claim 11 has been amended for clarity reasons. No new matter has been added.
2. In section 2 of the Action of June 7, 2005, the Examiner objects to the Abstract of the Disclosure. The Applicants have amended the Abstract as requested by the Examiner, thus overcoming the objection.
3. In sections 3-5 of the Action, the Examiner provisionally rejects claims 1-20 under the judicially created doctrine of obviousness-type double patenting. Enclosed please find a signed Terminal Disclaimer and a check as payment for the Terminal Disclaimer fee. The Applicants submit that the provisional rejection of claims 1-20 on double patentability grounds has been overcome.
4. In sections 6 and 7 of the Action, the Examiner rejects claims 11-20 under 35 USC § 112, second paragraph. The Applicants have amended claim 11 for added clarity and believe that the rejection of claims 11-20 has been overcome.
5. In sections 8-13 of the Action, the Examiner rejects claims 1-2, 6, 8, and 10 under 35 USC § 102(b) as being anticipated by U.S. Pat. No. 4,826,293 to Imoto. The Applicants respectfully disagree.

Claim 1 of the present application recites “[a] backlight module comprising . . . a reflector . . . a support disposed on the reflector. . . and a diffuser plate disposed on the reflector.” With reference to claim 1, the Examiner makes reference to Figure 9 of Imoto. However, in Figure 9 of Imoto, the reflector plate 12 is on the reflector holder 15, and not vice versa. Therefore, in claim 1, both the support and the diffuser plate are disposed on the reflector, while in Imoto only the diffusion plate 19 is disposed on the reflector.

Claim 1 of the present application also recites the feature "*wherein a first gap with predetermined size is formed between the support and the diffuser plate so that the diffuser plate is abutted by the support when the support is expanded.*" From the Examiner's mention of Figure 7, it appears that the Examiner believes that an upward bending of side portions 15b corresponds to an "expansion" of the holder 15. However, in Imoto, there is no holder 15 suitable for use until the side portions 15b have been bent. In other words, bending of portions 15b allows Imoto's holder to be formed, not expanded as recited in claim 1.

As a consequence, the Applicants submit that claim 1 is novel over Imoto, together with claims 2, 6, 8 and 10, at least by virtue of their dependence on claim 1.

6. With reference to claims 11-20, the Applicants note that no 35 USC § 102 or 35 USC § 103 rejections have been made against these claims. Therefore, Applicants assume that those claims are deemed to be patentable, once the 35 USC § 112, 2nd paragraph rejection (addressed by Applicants in Section 4 of the present response) has been overcome. Should the Examiner disagree with Applicants, the Examiner is respectfully requested to provide his rejections of claims 11-20, if any, in a further, non-final Action.

* * *

In view of the above, reconsideration and allowance of all the claims are respectfully solicited.

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 12-0415. In particular, if this response is not timely filed, then the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136 (a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 12-0415.

I hereby certify that this correspondence is being deposited with the United States Patent Office with sufficient postage as first class mail in an envelope addressed to Mail Stop Amendments, Commissioner for Patents, POB 1450; Alexandria, VA 22313-1450 on

September 7, 2005

(Date of Transmission)

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09/07/05

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Respectfully submitted,



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